

State of California  
AIR RESOURCES BOARD

Executive Order G-03-016

WHEREAS, on December 12, 2002, the Air Resources Board (the Board or ARB) conducted a public hearing to consider amending the California emission standards for new motor vehicles to (a) align California's exhaust emission standards for heavy-duty Otto-cycle (gasoline) engines with federal standards, (b) require fuel-fired heaters used in conventional vehicles to meet the same requirements as those used in zero-emission vehicles, (c) modify the allowable maintenance schedule for light- and medium-duty test vehicles, and (d) incorporate a number of administrative amendments;

WHEREAS, following the public hearing on December 12, 2002, the Board adopted Resolution 02-31, in which the Board adopted the amendments to title 13, California Code of Regulations, sections 1956.1, 1956.8, 1965, and 1978, as set forth in Attachment A, and the amendments to (and adoption of) the documents incorporated by those regulations, as set forth in Attachments B, D, E, F, G and H thereto;

WHEREAS, in Resolution 02-31 the Board also approved the amendments to title 13, California Code of Regulations, section 1961, as set forth in Attachment A thereto, and the amendments to the document incorporated by that regulation, as set forth in Attachment C thereto, with the modifications set forth in Attachment I thereto;

WHEREAS, Resolution 02-31 directs the Executive Officer to incorporate the modifications described in Attachment I into the approved amendments to section 1961 and the document incorporated by reference therein, with such other conforming modifications as may be appropriate, and then to adopt the modified amendments, after making the modified regulatory language available for supplemental public comment for a period of at least 15 days as required by Government Code section 11346.8, provided that the Executive Officer shall consider all written comments regarding the modifications as may be submitted during this period, shall make modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further consideration if she determines that this is warranted;

WHEREAS, the Board-approved modifications to title 13, California Code of Regulations, section 1961 and the document incorporated by that regulation and shown as Attachment C to Resolution 02-31, with a few additional conforming modifications, were made available for a supplemental comment period between March 28, 2003 and April 14, 2003, with the modifications clearly indicated;

WHEREAS, no responses were received by the Clerk of the Board during the supplemental comment period; and

WHEREAS, Attachment 1 hereto contains (a) the amendments to section 1961, title 13, California Code of Regulations, made available for supplemental public comment; (b) the amendments to sections 1956.1, 1956.8, 1965 and 1978, title 13, California Code of Regulations as adopted December 12, 2002 in Resolution 02-31, with the nonsubstantive corrections to sections 1956.1(b) and 1956.8(d) and (h) described in Attachment A to the Final Statement of Reasons in this rulemaking; and (c) nonsubstantial amendments to section 2065, title 13, California Code of Regulations, as described in Attachment A to the Final Statement of Reasons; and

WHEREAS, Attachment 3 hereto contains the amendments to the "California Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles" approved by the Board and made available for supplemental public comment; Attachment 6 hereto contains the "California Refueling Emission Standards and Test Procedures for 2001 and Subsequent Model Motor Vehicles" as adopted by the Board in Resolution 02-31, with an additional conforming modification that was made available for supplemental public comment; Attachments 2, 4, and 5 hereto contain the amendments (or new document) adopted by the Board in Resolution 02-31 to the "California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Otto-Cycle Engines," the "California Motor Vehicle Emission Control and Smog Index Label Specifications," and the "California Exhaust Emission Standards and Test Procedures for 1985 and Subsequent Model Heavy-Duty Diesel Engines," with the nonsubstantial corrections to some of those documents described in Attachment A to the Final Statement of Reasons; and Attachments 7 and 8 hereto contain the following new incorporated documents adopted by the Board in Resolution 02-31, with the nonsubstantial corrections described in Attachment A to the Final Statement of Reasons: the new "California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Diesel Engines," and the new "California Smog Index Label Specifications for 2004 and Subsequent Model Passenger Cars and Light-Duty Trucks."

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 02-31 are incorporated herein.

IT IS FURTHER ORDERED, in accordance with Resolution 02-31 and Health and Safety Code sections 39515 and 39516, that the amendments to section 1961, title 13, California Code of Regulations are hereby adopted as set forth in Attachment 1 hereto, and the amendments to the "California Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles" are adopted as set forth in Attachment 3 hereto.

IT IS FURTHER ORDERED, that the amendments to sections 1956.1(b) and 1956.8(b) and (h), title 13, California Code of Regulations, adopted by Resolution 02-31 shall also reflect the nonsubstantial corrections to those sections shown in Attachment 1 hereto,

and the nonsubstantial amendment to section 2065, title 13, California Code of Regulations is adopted as shown in Attachment 1 hereto.

IT IS FURTHER ORDERED, that the December 12, 2002 amendments to or adoption of the incorporated documents shown in Attachments D, E, F, and G to Resolution 02-31 shall also reflect the nonsubstantive corrections to those documents as shown in Attachments 4, 5, 6, and 7 hereto.

Executed this \_\_\_\_\_ day of September, 2003, at Sacramento, California.

\_\_\_\_\_  
Catherine Witherspoon  
Executive Officer

Attachments

### **List of Attachments to Executive Order G-02-31**

- Attachment 1: Final Regulation Order
- Attachment 2: Amendments to the “California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Otto-Cycle Engines.”
- Attachment 3: Amendments to the “California Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles.”
- Attachment 4: Amendments to the “California Motor Vehicle Emission Control and Smog Index Label Specifications for 1978 through 2003 Model Year Motorcycles, Light-, Medium- and Heavy-Duty Engines and Vehicles.”
- Attachment 5: Amendments to the “California Exhaust Emission Standards and Test Procedures for 1985 through 2003 Model Heavy-Duty Diesel-Engines and Vehicles.”
- Attachment 6: Amendments to the “California Refueling Emission Standards and Test Procedures for 2001 and Subsequent Model Motor Vehicles.”
- Attachment 7: The new “California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Diesel-Engines and Vehicles.”
- Attachment 8: The new “California Smog Index Label Specifications for 2004 and Subsequent Model Passenger Cars and Light-Duty Trucks.”